

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

Mr. David Kirkham
Regional Operations Director
Building Materials Corporation of America
P.O. Box 655607
Dallas, Texas 75265-5607

Re: Permit Amendment
Permit Number: 7711A
Asphalt and Roofing Materials Manufacturing Facility
Dallas, Dallas County
Regulated Entity Number: RN100788959
Customer Reference Number: CN602717464
Account Number: DB-0378-S

Dear Mr. Kirkham:

This is in response to a letter received on April 7, 2006, from Trinity Consultants in your behalf and your Form PI-1 (General Application for Air Preconstruction Permits and Amendments) concerning the proposed amendment to Permit Number 7711A. We understand that you propose to revise the maximum allowable emission rates table (MAERT) of your permit based on recent testing performed at your facility.

As indicated in Title 30 Texas Administrative Code § 116.116(b) [30 TAC § 116.116(b)], and based on our review, Permit Number 7711A is hereby amended. This information will be incorporated into the existing permit file. Enclosed is a MAERT to replace that currently attached to your permit. We appreciate your careful review of the MAERT of the permit and assuring that all requirements are consistently met.

This amendment will be automatically void upon the occurrence of any of the following, as indicated in 30 TAC § 116.120(a):

1. Failure to begin construction of the changes authorized by this amendment within 18 months from the date of this authorization.
2. Discontinuance of construction of the changes authorized by this amendment for a period of 18 consecutive months or more.

3. Failure to complete the changes authorized by this amendment within a reasonable time. Upon request, the Texas Commission on Environmental Quality (TCEQ) Executive Director may grant extensions as allowed in 30 TAC § 116.120(b).

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Re: Permit Number 7711A

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the TCEQ Executive Director's approval of the application. Any motion must explain why the commission should review the TCEQ Executive Director's action.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 11 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC-105), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Mr. Robert Martinez, Director, Environmental Law Division (MC-173), and Mr. Blas J. Coy, Jr., Public Interest Counsel (MC-103), both at the same TCEQ address above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

Thank you for your cooperation and interest in air pollution control. If you need further information or have any questions, please contact Mr. Alex Berksan, P.E., at (512) 239-1595 or write to the Texas Commission on Environmental Quality, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-163), P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Richard A. Hyde, P.E., Director
Air Permits Division
Office of Permitting, Remediation, and Registration
Texas Commission on Environmental Quality

RAH/AB/def

Enclosure

cc: Ms. Christine Otto, Managing Consultant, Trinity Consultants, Dallas
Mr. David Miller, Section Manager, Air Pollution Control Program, City of Dallas
Environmental and Health Services, Dallas
Air Section Manager, Region 4 - Fort Worth

Project Number: 122055